

THE BUZBEE LAW FIRM

www.txattorneys.com

Reply to: Houston Office

October 21, 2010

Via CMRRR 7010 0290 0000 2296 2024

Mr. David S. Bland
Mr. C. Lee Winkelman
Mr. Charles G. Glayton, IV
LeBlanc Bland, PLLC
909 Poydras Street, Suite 1860
New Orleans, Louisiana 70112

Re: CA. 4:09-cv-02521; *Guadalupe Arenas Vargas, Individually and As Representative of the Estate of Martin Anastacio Reyes Osuna, Deceased, and As Next Friend of Zaid Martin Reyes Arenas vs. Traylor Brothers, Inc., IHI, Inc., Massman Construction Co. & JL Steel Reinforcing, LL*; In the United States District Court, Southern District of Texas, Houston Division

In connection with the above referenced cause of action, enclosed please find the following:

- Guadalupe Arenas Vargas', Individually, Answers to Defendants' First Set of Interrogatories;
- Guadalupe Arenas Vargas', as Representative of the Estate of Martin Anastacio Reyes Ozuna, Answers to Defendant's First Set of Interrogatories;
- Guadalupe Arenas Vargas' as Next Friend of Zaid Martin Reyes Arenas, Answers to Defendants' First Set of Interrogatories;
- Silvia Ozuna Garcia's, Answers to Defendants' First Set of Interrogatories;
- Martin Reyes Adame's Answers to Defendants' First Set of Interrogatories; and,
- Plaintiffs' Responses to Defendants' First Set of Requests for Production of Documents.

If you have any questions or comments concerning this matter, please do not hesitate to contact this office.

1910 Ice & Cold Storage Building
104 21st Street (Moody Ave.)
Galveston, Texas 77550
By Appointment Only

JPMorgan Chase Tower (Principal Office)
600 Travis, Suite 7300
Houston, Texas 77002
Telephone: (713) 223-5393
Facsimile: (713) 223-5909

200 East Cano
Edinburg, Texas 78539
By Appointment Only



Yours very truly,

A handwritten signature in black ink, appearing to read 'Elisa' with a stylized flourish at the end.

Elisa M. Villarreal

Legal Assistant to Christopher K. Johns

/emv

Enclosures

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Guadalupe Arenas Vargas, et al.
Plaintiffs

V.

Traylor Brothers, Inc., et al.
Defendants

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Civil Action No. H-09-2521

**GUADALUPE ARENAS VARGAS', INDIVIDUALLY,
ANSWERS TO DEFENDANTS' FIRST SET OF INTERROGATORIES**

TO: Defendants, TRAYLOR BROTHERS, INC., MASSMAN CONSTRUCTION CO., KIEWIT LOUISIANA CO., and KIEWIT LOUISIANA CO., MASSMAN CONSTRUCTION, CO., and TRAYLOR BROS., INC., A JOINT VENTURE, d/b/a KIEWIT MASSMAN TRAYLOR CONSTRUCTORS, by and through their attorneys of record David S. Bland, C. Lee Winkelman, Charles G. Clayton, IV, LeBlanc Bland, P.L.L.C., 909 Poydras Street, Suite 1860, New Orleans, LA 70112.

Pursuant to the Federal Rules of Civil Procedure, Plaintiff, Guadalupe Arenas Vargas, Individually, serves the following Objections and Answers to Defendants, Traylor Brothers, Inc., Massman Construction Co., Kiewit Louisiana Co., and Kiewit Louisiana Co., Massman Construction, Co., and Traylor Bros., Inc., a Joint Venture, d/b/a Kiewit Massman Traylor Constructors' First Set of Interrogatories.

Respectfully submitted,

By: /s/ Christopher K. Johns

ANTHONY G. BUZBEE

SBOT No: 24001820

SD ID No. 22679

JP Morgan Chase Tower

600 Travis Street, Suite 7300

Houston, Texas 77002

Telephone: (713) 223-5393

Facsimile: (713) 223-5909

OF COUNSEL:

THE BUZBEE LAW FIRM

Christopher K. Johns

SBOT No. 24002353

SD ID No. 21630

cjohns@txattorneys.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document has been duly served on all known counsel of record and pro se parties in accordance with the Federal Rules of Civil Procedure on this *20th day of October, 2010*, as set forth below:

Via CMRRR 7010 0290 0000 2296 2024

David S. Bland

C. Lee Winkelman

Charles G. Clayton, IV

LeBlanc Bland, PLLC

909 Poydras Street, Suite 1860

New Orleans, LA 70112

/s/ Christopher K. Johns

Christopher K. Johns

ANSWERS TO DEFENDANTS FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1:

Please state your and the Decedents' present and all previous home, mailing and business addresses, home phone number, social security number, drivers license number (specifying state of issue), and date of birth; and please identify each person to whom you have previously been married, and state the date of termination, dissolution or annulment of each prior marriage, the court and docket number in which same was decreed.

ANSWER:

Name: **Guadalupe Arenas Vargas**
Address: **Calle Olivia Loces de Felon # 344**
 San Buenaventura, Coahuila
 CP. 25500, Mexico
 Tel. 1877 116 0085
DOB: **02.26.85**

Name: **Martin Anastacio Reyes Osuna**
Address: **9435 Middle Fiskville**
 Austin, Texas 78753
DOB: **04.02.83**

Plaintiff has no previous marriages.

INTERROGATORY NO. 2:

Please identify each of your children and each of their biological, natural, legal, putative and/or adoptive father (s), the name of the head of the household wherein each of the Decedent's and/ or your surviving children presently reside, and state whether such children are dependent upon you for financial support or maintenance. Please also identify the Decedent's and your parents and state whether they are dependent upon you for support.

ANSWER:

Zaid Martin Reyes' father is Martin Anastacio Reyes Ozuna. Zaid Martin Reyes is dependent upon Guadalupe Arenas Vargas for support and resides with her.

Guadalupe Arenas Vargas's mother is Edelmira Arenas Vargas. Father is unknown.

Decedent's mother is Juana Silvia Ozuna Garcia; father is Martin Reyes Adame.

INTERROGATORY NO. 3:

Describe the extent of Decedent's and your educational background and occupational or vocational training, including, but not limited to, the names and addresses, of all schools which the Decedent and you attended and/or from which the Decedent and you graduated, the dated thereof, and degrees and/or certificates received from each, Also include any testing you have taken to measure the Decedent and your intelligence or cognitive abilities, including, but not limited to, IQ tests.

ANSWER:

Plaintiff's highest level of education is the seventh grade in Coahuila, Mexico.

INTERROGATORY NO. 4:

Please list each and every job or position of employment, including self-employment, held by the Decedent and your prior to, and only you subsequent to, and you at the time of the incident sued upon stating as to each, the place of employment, indicating name, address, telephone number, your job title and duties, and name of immediate supervisor of each employer, the rate of pay, the date of commencement and date of termination as to each employment and the reason(s) for termination, the nature of each employment and the duties performed.

ANSWER:

Plaintiff cannot recall decedent's employment history aside from employment history at JL Steel. Plaintiff has always been a homemaker.

INTERROGATORY NO. 5:

Please identify, including the name, address, and telephone number, of each and every person who may have knowledge regarding the facts or events underlying the incident sued upon.

ANSWER:

Angel Rodriguez

Gilberto Soto

Sammy Vasquez

Jeffrey Mayon (3229 Mayon Ln, Morgan City, LA 70382; 985.519.1420)

Michael Phelps (212 Woodridge, Mandeville, LA 70471; 985.789.1964)

Angel Corona-Rodriguez (605 Masterson Pass 227, Austin, Texas 78753; 817.456.5514)

Cesar Corona-Rodriguez (605 Masterson Pass 227, Austin, Texas 78753; 817.456.5514)

Jorge Amador (2100 Sawmill, River Ridge, LA; 214.727.1293)

Wayne Augilard (Sheriff's Office of Jefferson Parish, Louisiana)

Capt. D. Thornton (Sheriff's Office of Jefferson Parish, Louisiana)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Guadalupe Arenas Vargas, et al.
Plaintiffs

V.

Traylor Brothers, Inc., et al.
Defendants

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Civil Action No. H-09-2521

**GUADALUPE ARENAS VARGAS', AS REPRESENTATIVE OF THE ESTATE OF
MARTIN ANASTACIO REYES OZUNA,
ANSWERS TO DEFENDANTS FIRST SET OF INTERROGATORIES**

TO: Defendants, TRAYLOR BROTHERS, INC., MASSMAN CONSTRUCTION CO., KIEWIT LOUISIANA CO., and KIEWIT LOUISIANA CO., MASSMAN CONSTRUCTION, CO., and TRAYLOR BROS., INC., A JOINT VENTURE, d/b/a KIEWIT MASSMAN TRAYLOR CONSTRUCTORS, by and through their attorneys of record David S. Bland, C. Lee Winkelman, Charles G. Clayton, IV, LeBlanc Bland, P.L.L.C., 909 Poydras Street, Suite 1860, New Orleans, LA 70112.

Pursuant to the Federal Rules of Civil Procedure, Plaintiff, Guadalupe Arenas Vargas, as Representative of the Estate of Martin Anastacio Reyes Ozuna, serves the following Objections and Answers to Defendants, Traylor Brothers, Inc., Massman Construction Co., Kiewit Louisiana Co., and Kiewit Louisiana Co., Massman Construction, Co., and Traylor Bros., Inc., a Joint Venture, d/b/a Kiewit Massman Traylor Constructors' First Set of Interrogatories.

Respectfully submitted,

By: /s/ Christopher K. Johns

ANTHONY G. BUZBEE
SBOT No: 24001820
SD ID No. 22679
JP Morgan Chase Tower
600 Travis Street, Suite 7300
Houston, Texas 77002
Telephone: (713) 223-5393
Facsimile: (713) 223-5909

OF COUNSEL:

THE BUZBEE LAW FIRM

Christopher K. Johns

SBOT No. 24002353

SD ID No. 21630

cjohns@txattorneys.com

ATTORNEYS FOR PLAINTIFF

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Charles G. Clayton, IV

LeBlanc Bland, PLLC

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New Orleans, LA 70112

/s/ Christopher K. Johns

Christopher K. Johns

ANSWERS TO DEFENDANTS FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1:

Please state your and the Decedents' present and all previous home, mailing and business addresses, home phone number, social security number, drivers license number (specifying state of issue), and date of birth; and please identify each person to whom you have previously been married, and state the date of termination, dissolution or annulment of each prior marriage, the court and docket number in which same was decreed.

ANSWER:

Name: Guadalupe Arenas Vargas
Address: Calle Olivia Loces de Felon # 344
 San Buenaventura, Coahuila
 CP. 25500, Mexico
 Tel. 1877 116 0085
DOB: 02.26.85

Name: Martin Anastacio Reyes Osuna
Address: 9435 Middle Fiskville
 Austin, Texas 78753
DOB: 04.02.83

Plaintiff has no previous marriages.

INTERROGATORY NO. 2:

Please identify each of your children and each of their biological, natural, legal, putative and/or adoptive father (s), the name of the head of the household wherein each of the Decedent's and/ or your surviving children presently reside, and state whether such children are dependent upon you for financial support or maintenance. Please also identify the Decedent's and your parents and state whether they are dependent upon you for support.

ANSWER:

Zaid Martin Reyes' father is Martin Anastacio Reyes Ozuna. Zaid Martin Reyes is dependent upon Guadalupe Arenas Vargas for support and resides with her.

Guadalupe Arenas Vargas's mother is Edelmira Arenas Vargas. Father is unknown.

Decedent's mother is Juana Silvia Ozuna Garcia; father is Martin Reyes Adame.

INTERROGATORY NO. 3:

Describe the extent of Decedent's and your educational background and occupational or vocational training, including, but not limited to, the names and addresses, of all schools which the Decedent and you attended and/or from which the Decedent and you graduated, the dated thereof, and degrees and/or certificates received from each, Also include any testing you have taken to measure the Decedent and your intelligence or cognitive abilities, including, but not limited to, IQ tests.

ANSWER:

Plaintiff's highest level of education is the seventh grade in Coahuila, Mexico.

INTERROGATORY NO. 4:

Please list each and every job or position of employment, including self-employment, held by the Decedent and your prior to, and only you subsequent to, and you at the time of the incident sued upon stating as to each, the place of employment, indicating name, address, telephone number, your job title and duties, and name of immediate supervisor of each employer, the rate of pay, the date of commencement and date of termination as to each employment and the reason(s) for termination, the nature of each employment and the duties performed.

ANSWER:

Plaintiff cannot recall decedent's employment history aside from employment history at JL Steel. Plaintiff has always been a homemaker.

INTERROGATORY NO. 5:

Please identify, including the name, address, and telephone number, of each and every person who may have knowledge regarding the facts or events underlying the incident sued upon.

ANSWER:

Angel Rodriguez

Gilberto Soto

Sammy Vasquez

Jeffrey Mayon (3229 Mayon Ln, Morgan City, LA 70382; 985.519.1420)

Michael Phelps (212 Woodridge, Mandeville, LA 70471; 985.789.1964)

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Jorge Amador (2100 Sawmill, River Ridge, LA; 214.727.1293)

Wayne Augilard (Sheriff's Office of Jefferson Parish, Louisiana)

Capt. D. Thornton (Sheriff's Office of Jefferson Parish, Louisiana)

Facsimile: (713) 223-5909

OF COUNSEL:

THE BUZBEE LAW FIRM

Christopher K. Johns
SBOT No. 24002353
SD ID No. 21630
cjohns@txattorneys.com

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LeBlanc Bland, PLLC
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New Orleans, LA 70112

/s/ Christopher K. Johns

Christopher K. Johns

ANSWERS TO DEFENDANTS FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1:

Please state your and the Decedents' present and all previous home, mailing and business addresses, home phone number, social security number, drivers license number (specifying state of issue), and date of birth; and please identify each person to whom you have previously been married, and state the date of termination, dissolution or annulment of each prior marriage, the court and docket number in which same was decreed.

ANSWER:

Name: Guadalupe Arenas Vargas
Address: Calle Olivia Loces de Felon # 344
San Buenaventura, Coahuila
CP. 25500, Mexico
Tel. 1877 116 0085
DOB: 02.26.85

Name: Martin Anastacio Reyes Osuna
Address: 9435 Middle Fiskville
Austin, Texas 78753
DOB: 04.02.83

Plaintiff has no previous marriages.

INTERROGATORY NO. 2:

Please identify each of your children and each of their biological, natural, legal, putative and/or adoptive father (s), the name of the head of the household wherein each of the Decedent's and/ or your surviving children presently reside, and state whether such children are dependent upon you for financial support or maintenance. Please also identify the Decedent's and your parents and state whether they are dependent upon you for support.

ANSWER:

Zaid Martin Reyes' father is Martin Anastacio Reyes Ozuna. Zaid Martin Reyes is dependent upon Guadalupe Arenas Vargas for support and resides with her.

Guadalupe Arenas Vargas's mother is Edelmira Arenas Vargas. Father is unknown.

Decedent's mother is Juana Silvia Ozuna Garcia; father is Martin Reyes Adame.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Guadalupe Arenas Vargas, et al.
Plaintiffs

V.

Traylor Brothers, Inc., et al.
Defendants

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Civil Action No. H-09-2521

SILVIA OZUNA GARCIA'S
ANSWERS TO DEFENDANTS' FIRST SET OF INTERROGATORIES

TO: Defendants, TRAYLOR BROTHERS, INC., MASSMAN CONSTRUCTION CO., KIEWIT LOUISIANA CO., and KIEWIT LOUISIANA CO., MASSMAN CONSTRUCTION, CO., and TRAYLOR BROS., INC., A JOINT VENTURE, d/b/a KIEWIT MASSMAN TRAYLOR CONSTRUCTORS, by and through their attorneys of record David S. Bland, C. Lee Winkelman, Charles G. Clayton, IV, LeBlanc Bland, P.L.L.C., 909 Poydras Street, Suite 1860, New Orleans, LA 70112.

Pursuant to the Federal Rules of Civil Procedure, Plaintiff, Silvia Ozuna Garcia, serves the following Objections and Answers to Defendants, Traylor Brothers, Inc., Massman Construction Co., Kiewit Louisiana Co., and Kiewit Louisiana Co., Massman Construction, Co., and Traylor Bros., Inc., a Joint Venture, d/b/a Kiewit Massman Traylor Constructors' First Set of Interrogatories.

Respectfully submitted,

By: /s/ Christopher K. Johns

ANTHONY G. BUZBEE

SBOT No: 24001820

SD ID No. 22679

JP Morgan Chase Tower

600 Travis Street, Suite 7300

Houston, Texas 77002

Telephone: (713) 223-5393

Facsimile: (713) 223-5909

OF COUNSEL;

THE BUZBEE LAW FIRM

Christopher K. Johns
SBOT No. 24002353
SD ID No. 21630
cjohns@txattorneys.com

ATTORNEYS FOR PLAINTIFF

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C. Lee Winkelman
Charles G. Clayton, IV
LeBlanc Bland, PLLC
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New Orleans, LA 70112

/s/ Christopher K. Johns

Christopher K. Johns

ANSWERS TO DEFENDANTS FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1:

Please state your and the Decedents' present and all previous home, mailing and business addresses, home phone number, social security number, drivers license number (specifying state of issue), and date of birth; and please identify each person to whom you have previously been married, and state the date of termination, dissolution or annulment of each prior marriage, the court and docket number in which same was decreed.

ANSWER:

Name: Juana Sylvia Ozuna Garcia
Address: Privada Francisco Villa # 366
San Buenaventura, Coahuila
C.P. 25500, Mexico
Tel. 869 101-0059
DOB: 02.08.57

Name: Martin Anastacio Reyes Ozuna
Address: 9435 Middle Fiskville
Austin, Texas 78753
DOB: 04.02.83

Plaintiff has no previous marriages.

INTERROGATORY NO. 2:

Please identify each of your children and each of their biological, natural, legal, putative and/or adoptive father (s), the name of the head of the household wherein each of the Decedent's and/ or your surviving children presently reside, and state whether such children are dependent upon you for financial support or maintenance. Please also identify the Decedent's and your parents and state whether they are dependent upon you for support.

ANSWER:

Plaintiffs children are:

Sylvia Cristina Reyes Ozuna
Delfina Patricia Reyes Ozuna
Maria Elena Reyes Ozuna
Martin Anastacio Reyes Ozuna (deceased)
Fidencio Reyes Ozuna
Jesus Antonio Reyes Ozuna

Of whom only Jesus Antonio Reyes Ozuna resides and is dependent upon her for financial support and maintenance.

Plaintiff will supplement.

INTERROGATORY NO. 3:

Describe the extent of Decedent's and your educational background and occupational or vocational training, including, but not limited to, the names and addresses, of all schools which the Decedent and you attended and/or from which the Decedent and you graduated, the dates thereof, and degrees and/or certificates received from each, Also include any testing you have taken to measure the Decedent and your intelligence or cognitive abilities, including, but not limited to, IQ tests.

ANSWER:

Plaintiff's highest level of education is the sixth grade in Coahuila, Mexico.

INTERROGATORY NO. 4:

Please list each and every job or position of employment, including self-employment, held by the Decedent and you prior to, and only you subsequent to, and you at the time of the incident sued upon stating as to each, the place of employment, indicating name, address, telephone number, your job title and duties, and name of immediate supervisor of each employer, the rate of pay, the date of commencement and date of termination as to each employment and the reason(s) for termination, the nature of each employment and the duties performed.

ANSWER:

Plaintiff has always been a homemaker. Plaintiff cannot recall Decedent's employment history aside from employment history at JL Steel.

INTERROGATORY NO. 5:

Please identify, including the name, address, and telephone number, of each and every person who may have knowledge regarding the facts or events underlying the incident sued upon.

ANSWER:

Angel Rodriguez

Gilberto Soto

Sammy Vasquez

Jeffrey Mayon (3229 Mayon Ln, Morgan City, LA 70382; 985.519.1420)

Michael Phelps (212 Woodridge, Mandeville, LA 70471; 985.789.1964)

Angel Corona-Rodriguez (605 Masterson Pass 227, Austin, Texas 78753; 817.456.5514)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Guadalupe Arenas Vargas, et al.
Plaintiffs

V.

Traylor Brothers, Inc., et al.
Defendants

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Civil Action No. H-09-2521

**MARTIN REYES ADAME'S ANSWERS TO
DEFENDANTS' FIRST SET OF INTERROGATORIES**

TO: Defendants, TRAYLOR BROTHERS, INC., MASSMAN CONSTRUCTION CO., KIEWIT LOUISIANA CO., and KIEWIT LOUISIANA CO., MASSMAN CONSTRUCTION, CO., and TRAYLOR BROS., INC., A JOINT VENTURE, d/b/a KIEWIT MASSMAN TRAYLOR CONSTRUCTORS, by and through their attorneys of record David S. Bland, C. Lee Winkelman, Charles G. Clayton, IV, LeBlanc Bland, P.L.L.C., 909 Poydras Street, Suite 1860, New Orleans, LA 70112.

Pursuant to the Federal Rules of Civil Procedure, Martin Reyes Adame, serves the following Objections and Answers to Defendants, Traylor Brothers, Inc., Massman Construction Co., Kiewit Louisiana Co., and Kiewit Louisiana Co., Massman Construction, Co., and Traylor Bros., Inc., a Joint Venture, d/b/a Kiewit Massman Traylor Constructors' First Set of Interrogatories.

Respectfully submitted,

By: /s/ Christopher K. Johns

ANTHONY G. BUZBEE
SBOT No: 24001820
SD ID No. 22679
JP Morgan Chase Tower
600 Travis Street, Suite 7300
Houston, Texas 77002
Telephone: (713) 223-5393
Facsimile: (713) 223-5909

OF COUNSEL:

THE BUZBEE LAW FIRM

Christopher K. Johns

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SD ID No. 21630

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Charles G. Clayton, IV

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New Orleans, LA 70112

/s/ Christopher K. Johns

Christopher K. Johns

ANSWERS TO DEFENDANTS FIRST SET OF INTERROGATORIES

INTERROGATORY NO. 1:

Please state your and the Decedents' present and all previous home, mailing and business addresses, home phone number, social security number, drivers license number (specifying state of issue), and date of birth; and please identify each person to whom you have previously been married, and state the date of termination, dissolution or annulment of each prior marriage, the court and docket number in which same was decreed.

ANSWER:

Name: Martin Reyes Adame
Address: Privada Francisco Villa # 366
San Buenaventura, Coahuila
C.P. 25500, Mexico
Tel. 869 101-0059
DOB: 02.08.57

Name: Martin Anastacio Reyes Ozuna
Address: 9435 Middle Fiskville
Austin, Texas 78753
DOB: 04.02.83

Plaintiff has no previous marriages. Plaintiff will supplement.

INTERROGATORY NO. 2:

Please identify each of your children and each of their biological, natural, legal, putative and/or adoptive father (s), the name of the head of the household wherein each of the Decedent's and/ or your surviving children presently reside, and state whether such children are dependent upon you for financial support or maintenance. Please also identify the Decedent's and your parents and state whether they are dependent upon you for support.

ANSWER:

Plaintiff's children are:

Sylvia Cristina Reyes Ozuna
Delfina Patricia Reyes Ozuna
Maria Elena Reyes Ozuna
Martin Anastacio Reyes Ozuna (deceased)
Fidencio Reyes Ozuna
Jesus Antonio Reyes Ozuna

Of whom only Jesus Antonio Reyes Ozuna resides and is dependent upon him for financial support and maintenance.

INTERROGATORY NO. 3:

Describe the extent of Decedent's and your educational background and occupational or vocational training, including, but not limited to, the names and addresses, of all schools which the Decedent and you attended and/or from which the Decedent and you graduated, the dated thereof, and degrees and/or certificates received from each, Also include any testing you have taken to measure the Decedent and your intelligence or cognitive abilities, including, but not limited to, IQ tests.

ANSWER:

Plaintiff's highest level of education is the sixth grade in Coahuila, Mexico.

INTERROGATORY NO. 4:

Please list each and every job or position of employment, including self-employment, held by the Decedent and you prior to, and only you subsequent to, and you at the time of the incident sued upon stating as to each, the place of employment, indicating name, address, telephone number, your job title and duties, and name of immediate supervisor of each employer, the rate of pay, the date of commencement and date of termination as to each employment and the reason(s) for termination, the nature of each employment and the duties performed.

ANSWER:

Plaintiff is a retired from Altos Hornos de Mexico where he worked most of his life as a general laborer. Plaintiff cannot recall Decedent's employment history aside from employment history at JL Steel.

INTERROGATORY NO. 5:

Please identify, including the name, address, and telephone number, of each and every person who may have knowledge regarding the facts or events underlying the incident sued upon.

ANSWER:

Angel Rodriguez

Gilberto Soto

Sammy Vasquez

Jeffrey Mayon (3229 Mayon Ln, Morgan City, LA 70382; 985.519.1420)

Michael Phelps (212 Woodridge, Mandeville, LA 70471; 985.789.1964)

Angel Corona-Rodriguez (605 Masterson Pass 227, Austin, Texas 78753; 817.456.5514)

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HOUSTON DIVISION

Guadalupe Arenas Vargas, et al.
Plaintiffs

V.

Traylor Brothers, Inc., et al.
Defendants

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Civil Action No. H-09-2521

**PLAINTIFFS' RESPONSES TO DEFENDANTS'
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

TO: Defendants, TRAYLOR BROTHERS, INC., MASSMAN CONSTRUCTION CO., KIEWIT LOUISIANA CO., and KIEWIT LOUISIANA CO., MASSMAN CONSTRUCTION, CO., and TRAYLOR BROS., INC., A JOINT VENTURE, d/b/a KIEWIT MASSMAN TRAYLOR CONSTRUCTORS, by and through their attorneys of record David S. Bland, C. Lee Winkelman, Charles G. Clayton, IV, LeBlanc Bland, P.L.L.C., 909 Poydras Street, Suite 1860, New Orleans, LA 70112.

Pursuant to the Federal Rules of Civil Procedure, Plaintiffs serve the following Objections and Responses to Defendant's First Set of Requests for Production of Documents.

Respectfully submitted,

By: /s/ Christopher K. Johns

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Facsimile: (713) 223-5909

OF COUNSEL:

THE BUZBEE LAW FIRM

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SD ID No. 21630
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document has been duly served on all known counsel of record and pro se parties in accordance with the Federal Rules of Civil Procedure on this *20th day of October, 2010*, as set forth below:

Via CMRRR 7010 0290 0000 2296 2024

David S. Bland
C. Lee Winkelman
Charles G. Clayton, IV
LeBlanc Bland, PLLC
909 Poydras Street, Suite 1860
New Orleans, LA 70112

/s/ Christopher K. Johns

Christopher K. Johns

**PLAINTIFFS' RESPONSES TO DEFENDANTS
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Please produce all Documents which you were requested to identify or to which you referred or upon which you relied in answering the first set of Interrogatories propounded by Defendants to you.

RESPONSE:

To the extent responsive documents are in Plaintiffs' possession, custody, or control they have been produced.

2. Please produce all Documents supporting or relating to any of the allegations found in Plaintiffs' Petitions.

RESPONSE:

To the extent responsive documents are in Plaintiffs' possession, custody, or control they have been produced.

3. Please produce any and all photographs or films, developed or undeveloped, drawings, maps, or diagrams pertaining in any way to the incident sued upon, including, but not limited to, the accident scene, maps of the accident site, the Decedent's body, and any instrumentality which you believe played any part in the causation of the incident sued upon.

RESPONSE:

See attached CDs containing photographs.

4. Please produce any and all statements obtained or given by the Decedent, your or on your behalf, whether written, recorded, transcribed, or otherwise, relative to the incident sued upon.

RESPONSE:

To the extent responsive documents are in Plaintiffs' possession, custody, or control they have been produced.

5. Please produce any and all hospital records, medical reports, medical records, diagnostic studies, or other medical information from any health care facility or health care provider who/which has treated the Decedent and r you for any medical condition since the incident sued upon. Please include any and all bills for prescriptions, drugs, or any prosthetic devices, bandages, or supports and all bills for treatment or examination rendered in connection with any injuries, whether physical, mental, or emotional, sustained as a result of the incident sued upon.

MAIL TO:
OFFICE OF WORKERS' COMPENSATION
POST OFFICE BOX 94040
BATON ROUGE, LA. 70804-9040
(225) 342-7565

TOLL FREE (800) 201-3457

EMPLOYER REPORT
OF
INJURY/ILLNESS

608-74-8542

Employee Social Security Number

Employer UI Account Number
262601354

Employer Federal ID Number

This report is completed by the Employer for each injury/illness identified by them or their employee as occupational. A copy is to be provided to the employee and the insurer immediately.

PURPOSE OF REPORT: (Check all that apply)

☐ More than 7 days of disability

☐ Possible dispute

☐ Medical only

☒ Injury resulted in death

☐ Lump Sum Compromise/Settlement

(DO NOT mail copy to OWCA)

☐ Amputation or disfigurement

☐ Other

1. Date of Report MM/DD/YY August 6, 2009	2. Date & time of injury MM/DD/YY Time 6/12/2009 5:30 PM <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	3. Normal Starting Time Day of Accident <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	4. If Back to Work- Give date MM/DD/YY	5. At same wage? <input type="checkbox"/> Yes <input type="checkbox"/> No	DO NOT WRITE IN THIS COLUMN
6. If Fatal Injury, Give Date of Death MM/DD/YY	7. Date Employer Knew of Injury MM/DD/YY 6/12/2009	8. Date Disability began MM/DD/YY 6/13/2009	9. Last Full Day Paid MM/DD/YY	Date Received	
10. Employee Name First Middle Last Martin Reyes Osuna			11. <input type="checkbox"/> Male <input type="checkbox"/> Female	12. Employee Phone # (512) 767-0361	Name:
13. Address and Zip Code 9435 Middle Fiskville, Austin, Texas 78753			14. Parish of Injury Jefferson	State/Parish	
15. Date of Hire 5/21/2008	16. Date of Birth 4/2/1983	17. Occupation Steel Setter	18. Department/Division Employed	Occupation	
19. Place of Injury - Employer's Premises? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		20. If No, Indicate Location - Street, City, Parish and State Huey P Long Bridge, New Orleans		Nature	
21. What work activity was the employee doing when the injury occurred? (Give weight, size and shape of materials or equipment involved). Explain what employee was doing with them. Indicate if correct procedures were followed. Bridge construction				Part of Body	
				Source	
				Event	
				NCCI	
22. What caused injury to happen? (Describe fully the events which resulted in injury or disease. Explain what happened and how it happened. Name any objects or substances involved and explain how they were involved. Give full details on all factors which led to or contributed to this injury or illness.) The structure that claimant was attached to collapsed.					
23. Part of Body Injured and Nature of Injury or Illness (ex: left leg, multiple fractures) Fatality				24. If Conc. Disease - Give Date Diagnosed	
25. Physician and Address			26. If Hospitalized, give name & address of facility		
27. Employer's Name JI Steel Reinforcing Llc			28. Person Completing This Report - Please print Julie Justice, The Hartford		
29. Employer's Address and Zip Code Po Box 14709 Fort Worth, Tx 76117			30. Employer's Telephone Number		
31. Employer's Mailing Address - If Different From Above			32. Nature of Business - Type of Mfg., Trade, Construction, Service, etc.		
33. Wage Information (optional) Employee was paid <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other. The average weekly wage was \$ _____ per week.					

LDOL WC-1007
REV. 08/06

Insurer Name: The Hartford
Phone: (877) 889-9222
Address: P O Box 4626 Houston, Tx 77210-4626

Insurer's Administrator or Representative: Julie Justice
Phone: (877) 889-9222
Address: P O Box 4626 Houston, Tx 77210-4626

EMPLOYER CERTIFICATE OF COMPLIANCE

You must submit this Certification to your workers' compensation insurer. Failure to submit this Certification as required may result in your being penalized by a fine of \$500, payable to your insurer.

You must secure workers' compensation for your employees through insurance or by becoming an authorized self-insured. If you fail to provide security for workers' compensation, you must pay an additional 50% in weekly benefits to your injured workers.

If you willfully fail to provide security for workers' compensation, then you are subject to a fine of up to \$10,000, imprisonment with or without hard labor for not more than 1 year, or both. If you have been previously fined and again fail to provide security for workers' compensation, then you are subject to additional penalties, including a court order to cease and desist from continuing further business operations.

You must not collect, demand, request, or accept any amount from any employee to pay or reimburse for the workers' compensation insurance premium. If you violate this provision, you may be punished with a fine of not more than \$500, or imprisoned with or without hard labor for not more than one year, or both.

It is unlawful for you to willfully make, or to assist or counsel someone else to make, a false statement or representation in order to obtain or to defeat workers' compensation benefits. If you violate this provision, you may be fined up to \$10,000, imprisoned with or without hard labor for up to 10 years, or both depending on the amount of benefits unlawfully obtained or defeated. In addition to these criminal penalties, you may be assessed a civil penalty of up to \$5,000.

EMPLOYER CERTIFICATION

I certify that I have read this entire document and understand its contents, and that I understand I am held responsible for this information. I certify my compliance with the Louisiana Workers' Compensation Act.

Preparer Name (PRINT)

Signature

Date

Company Name

Company Address

()

Phone Number

Insurance Policy Number

Martin Reyes Osuna

608-74-8542

Employee Name

Employee Social Security Number